

OFFICIAL FILE

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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2003 SEC -4 P 1.53

CHIEF CLERK'S OFFICE

DOCKET NO. 03-0749

ORIGINAL

CLINTON COUNTY ELECTRIC COOPERATIVE, INC. an)
Illinois not for profit corporation,)
and)
ILLINOIS POWER COMPANY, an Illinois)
corporation.)

JOINT PETITION FOR APPROVAL OF AMENDMENT
NO. 5 TO THE SERVICE AREA AGREEMENT DATED MAY 8, 1972
BETWEEN CLINTON COUNTY ELECTRIC COOPERATIVE, INC.,
AND ILLINOIS POWER COMPANY

CLINTON COUNTY ELECTRIC COOPERATIVE, INC., an Illinois not for profit corporation (CCEC) and ILLINOIS POWER COMPANY (Illinois Power), hereby file this Joint Petition with the Illinois Commerce Commission, pursuant to Section 6 of the Electric Suppliers Act (Act) for approval of an amendment to the Service Area Agreement between CCEC and Illinois Power, dated May 8, 1972, (Service Area Agreement) and approved by the Illinois Commerce Commission (Commission) by order entered in Docket No. ESA 149, on September 20, 1972 and in support thereof states as follows:

1. CCEC and Illinois Power are both electric suppliers subject to the jurisdiction of the Act.
2. CCEC and Illinois Power entered into a Service Area Agreement, dated May 8, 1972, which agreement was approved by the Commission in Docket No. ESA 149 on September 20, 1972.
3. CCEC and Illinois Power have found it necessary to amend such Service Area Agreement in order to avoid duplication of facilities and minimize inconvenience and inefficiencies to the public.
4. Attached hereto is Amendment No. 5 to the Service Area Agreement between Illinois Power and CCEC and Exhibits A, B, C, and D of said Amendment. See Exhibit 1. Exhibits A and B of said Amendment more fully describe the territorial boundaries changes of the

respective entities as a result of the amendment. Exhibits C and D are release letters from customers agreeing to continued to be served by Illinois Power.

5. A copy of the Service Area Agreement between CCEC and Illinois Power is attached hereto as Exhibit 2.

6. Such Amendment No. 5 to the Service Area Agreement will tend to increase the efficiency of the Joint Petitioners in rendering electric service to the public.

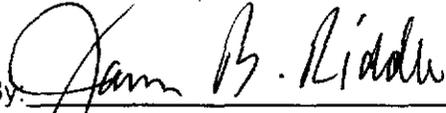
7. The terms of Amendment No. 5 will not change the electric supplier of any customer now being served by either Petitioner on the date that said amendment was executed.

8. The Service Area Agreement provides in Sections 7 and 9 thereof that if either party should request the other to furnish electrical service to a customer who the requesting party is entitled to serve by virtue of the agreement and the other party does render such service, the agreement shall not be thereby rendered void but should remain in full force and effect and further provides that any agreement between the parties made for the furnishing of such service to such customer shall be in the form of an amendment to the agreement and subject to the approval of the Commission.

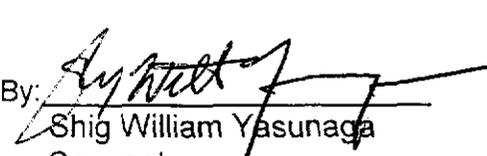
9. This Amendment No. 5 to the Service Area Agreement is reasonable and in the public interest and should be approved by the Commission.

WHEREFORE, the Petitioners pray that Amendment No. 5 to the Service Area Agreement is reasonable and in the public interest and should be approved by the Commission.

CLINTON COUNTY ELECTRIC
COOPERATIVE, INC.

By: 
James B. Riddle
General Manager

ILLINOIS POWER COMPANY

By: 
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STATE OF ILLINOIS)
 : SS
COUNTY OF CLINTON)

I, the undersigned being first duly sworn deposes and state that I am the General Manager of Clinton County Electric Cooperative, Inc. and that I have read the foregoing Joint Petition filed in the above cause and know the content thereof and the same is true to the best of my knowledge, information and belief.

James B. Riddick
General Manager

Subscribed and Sworn to before me this

13TH day of Nov., 2003
[Signature]
Notary Public



STATE OF ILLINOIS)
 : SS
COUNTY OF MACON)

I, the undersigned, being first duly sworn deposes and state that I am the Municipal & Cooperative Relations Manager of Illinois Power Company and that I have read the foregoing Joint Petition filed in the above cause and know the content thereof and the same is true to the best of my knowledge, information and belief.

[Signature]
Municipal & Cooperative Relations
Manager

Subscribed and Sworn to before me this

17th day of November, 2003
Laura A. Krohe
Notary Public

